

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

STEVE KAUFMAN,	)	
	)	
Plaintiff,	)	7:06CV5017
	)	
v.	)	
	)	
THE WESTERN SUGAR COOPERATIVE	)	ORDER
INC.,	)	
	)	
Defendant.	)	
_____	)	

This matter is before the Court after review of the video deposition of Barbara Widom, M.D., which was taken on October 15, 2007, as well as the objections made during the course of that deposition as set forth in the letter of Mr. Olson dated November 1, 2007. Rather than making a specific ruling on each objection made, the Court advises the parties that unless specifically addressed below, the objections are overruled.

IT IS ORDERED:

1) The testimony from Page 39, Line 20 through Page 40, Line 3 is stricken. Counsel for the defendant essentially withdraw the question as a result of the objection and then restated it.

2) The testimony on Page 54, Lines 16 through 21, is stricken. The question was withdrawn by counsel pursuant to objection of Mr. Boross and restated at Line 22.

3) The testimony on Page 56, Line 17, through Page 57, Line 3, is stricken from the deposition. Counsel restated the question after Mr. Boross objected.

4) The testimony on Page 72, Line 10: the objection is sustained and Page 72, Line 8-11 is stricken.

5) The testimony on Page 74, Line 10: the objection is sustained. The Court notes that Mr. Olson withdrew the question. Accordingly Lines 9 through 12 are stricken.

6) The objection on Page 95, Lines 23-24 is stricken as the objection has been withdrawn by Mr. Olson.

7) The question and answer at Page 114, Line 25, to Page 115, Line 6, are stricken. The objection of Mr. Boross is sustained.

8) Mr. Boross' objection on Page 115, Line 20, is considered withdrawn and is stricken. Also Page 115, Line 22, through Page 116, Line 1, is stricken as the Court considers the original question withdrawn and restated at Page 116, Line 2.

9) I have indicated the portions I believe should be stricken from this deposition. It would be my suggestion to counsel that in reviewing the video deposition that all objections and colloquy between counsel be removed. However, if you wish to leave it in, I will instruct the jury at the commencement of the presentation of this deposition that the Court has previously ruled on all objections.

10) The matter of the admissibility of the two letters dated in December, 1996, and January, 1997, from Dr. Patrick Brown is reserved until trial. Neither the letters nor their contents should be discussed in the presence of the jury without obtaining permission from the Court at a side bar conference or other conference outside the presence of the jury.

DATED this 6th day of November, 2007.

BY THE COURT:

/s/ Lyle E. Strom

---

LYLE E. STROM, Senior Judge  
United States District Court